DOCKET NO.: MSFT-0135/147325.1
Application No.: 09/525,510
Office Action Dated: July 7, 2006

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

In response to the Office Action dated July 7, 2006, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Applicants have amended independent claims 1 and 24 to include the subject matter of claim 18 and 41, respectively. Accordingly, claims 18 and 41 have been cancelled. Applicants submit that no new matter has been introduced by way of the amendments. No new claims have been added. Thus, claims 1-9, 11-14, 17, 19-32, 34-37, 40, and 42-46 are pending.

Formal Drawings

Acceptance of the formal drawings filed with the application on March 15, 2000 has not been acknowledged by the Examiner. Applicants respectfully request acknowledgement in a subsequent communication.

Claim Rejections – 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejects all pending claims under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,983,350 to Minear et al. ("Minear") in view of U.S. Patent Application Publication No. 2005/0010766 to Holden et al. ("Holden"). Applicants respectfully traverse the rejections.

Amended claim 1 recites a method for releasing digital content to a rendering application upon authentication of a path, defined by at least one module, between the rendering application and an ultimate destination. The authentication determines if each defining module of the path is to be trusted to handle the digital content. The method claim further recites that the authentication comprises developing a map of each module in the path, receiving a certificate as issued by a certifying authority, determining from the certificate whether the certificate is acceptable, and checking a revocation list to ensure that the certificate has not been revoked. If a module in the path fails to provide an acceptable certificate, then the encrypted digital content is not decrypted. Independent claim 24 recites a computer-readable medium having computer-executable instructions for performing the method of claim 1.

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There is no teaching or suggestion in Minear and Holden, either considered alone or in combination, of at least the claim feature of "refusing to decrypt the encrypted digital content if at least one module in the at least a portion of the path fails to provide an acceptable certificate," as recited in claims 1 and 24.

Minear is referred to for this teaching of the claims in the Office Action rejection of claims 18 and 41, the subject matter of which is now respectively incorporated in independent claims 1 and 24. Minear teaches regulating "the flow of messages through a firewall having a network protocol stack" by, "if the message is encrypted, decrypting the message and passing the decrypted message up the network protocol stack." The decryption includes "a procedure at the IP layer" (Minear, column 2, lines 52 - 64). In Minear, an IPSEC carrier packet is used to "verify the source of the packet" as an authentication process through an authentication header and an encapsulated payload (Minear, column 3, line 56 – column 4, line 28). Minear states that an encrypted message "is decrypted based on the algorithm and key associated with the particular SA (security association)." Only after decryption is an authentication protocol initiated (Minear, column 5, line 65 – column 6, line 15). Thus, in Minear, the encrypted message is not refused to be decrypted but is instead decrypted before authentication.

Holden similarly fails to teach or suggest at least the feature of "refusing to decrypt the encrypted digital content if at least one module in the at least a portion of the path fails to provide an acceptable certificate." Holden states that authentication may be necessary before acceptance of data (Holden, paragraph 33) and that an error message is logged if a digital signature is not verified (Holden, paragraph 47). Holden, in paragraph 95, discusses the use of a Certificate Table "to process in-coming and out-going messages" and, in paragraph 182, teaches that a Certificate Revocation List may be used to delete entries. Further, paragraph 196 of Holden identifies the storage of certificates related to message entries in the Certificate Table. However, there is no teaching or suggestion in Holden of the refusal to decrypt a message upon failure to provide an acceptable certificate, as required by claims 1 and 24. Instead, in Holden, upon failure to provide an acceptable certificate, a new certificate and release key is generated.

Thus, since the combination of Minear and Holden fail to teach or suggest at least all of the elements of claims 1 and 24, as discussed above, a prima facie case of obviousness

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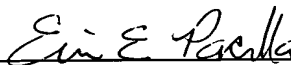REPLY FILED UNDER EXPEDITED
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cannot be established because all elements are not present in any combination of Minear and Holden.

Claims 2-9, 11-14, 17, and 19-23 depend on claim 1, while claims 25-32, 34-37, 40, and 42-46 depend on claim 24. These dependent claims are patentable for the same reasons as noted above with respect to claims 1 and 24.

Conclusion

For all the foregoing reasons, Applicants respectfully submit that the pending claims patentably define over the cited art. Accordingly, a Notice of Allowance for claims 1-9, 11-14, 17, 19-32, 34-37, 40, and 42-46 is respectfully requested. In the event, however, that the Examiner believes that the application is not allowable for any reason, the Examiner is encouraged to contact the undersigned agent to discuss resolution of any remaining issues.

Date: November 7, 2006

Erin E. Pacella
Registration No. 56,239

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439